

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MARY O. WELDON, et al.,

Plaintiffs,

-vs-

JAMES W. PRESLEY, et al.,

Defendants.

: CASE NO. 1:10 CV 1077
:
:

: ORDER ADOPTING REPORT AND
: RECOMMENDATION AND GRANTING
: DEFENDANTS' MOTION FOR PARTIAL
: SUMMARY JUDGMENT
:
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This matter was referred to Magistrate William H. Baughman, Jr. (Doc. 26) for a Report and Recommendation ("R&R") on the Defendants' motion for partial summary judgment to enforce a statutory damages cap under Ohio Revised Code § 2315.18 in the agreed-upon instant "tort action." Finding that Mary Weldon's injuries do not fall under any exemptions outlined in ORC § 2315.18, Magistrate Judge Baughman recommended granting the Defendants' motion for partial summary judgment. (Doc. 28, p. 20).

No party has objected to the Magistrate Judge's R&R. Therefore, this Court will presume the parties are satisfied with the determination. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.

1981).

Accordingly, the Magistrate Judge's R&R is adopted. The Defendants' motion for partial summary judgment is granted. The damage caps under Ohio Revised Code § 2315.18(b)(2) apply to Mary Weldon's instant claims.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 25 August 2011